

Collaboration and ADR in the BLM

The mission of the Collaboration and ADR Program is to increase the BLM's capacity for, and effective use of, collaborative stakeholder engagement and Appropriate Dispute Resolution (ADR) processes.

Increased use of collaboration and ADR for BLM projects, plans, and decision-making improves stakeholder relationships; reduces protests, appeals, and litigation; and helps the BLM to realize long-term savings of time, budget dollars, and public resources.



Kiger Gorge in the Steens Mountain Cooperative Management and Protection Area

In addition to this brochure, BLM guidance on collaborative and ADR processes includes the following, all available on the ADR Program website at:

<http://www.blm.gov/adr>

- *Field Guide: Collaborative Stakeholder Engagement and ADR: What BLM, Communities, and the Public Need to Know for Preventing Conflict and Resolving Disputes Involving Public Lands and Resources*
- *Field Guide on Negotiation Strategies*
- *Federal Advisory Committee Act: What BLM Staff Need to Know When Working with Collaborative Community Working Groups*
- *Managing ADR in the BLM: Cases before the Interior Board of Land Appeals*

In addition to the collaboration and ADR training resources available through DOI Learn, recorded broadcasts and other sessions can be found through the BLM's online Knowledge Resource Center, at: www.ntc.blm.gov/krc under "Planning/ADR," in addition to other helpful resources under "Partnerships."

More information on CORE PLUS, the DOI-wide program for managing and resolving internal, workplace conflict, including the rights and responsibilities of BLM employees, is also available from the ADR Program website, your state or center CORE PLUS ADR Advisor, or the DOI's Office of Collaborative Action and Dispute Resolution (CADR) at <http://www.doi.gov/CADR>.

Collaboration and Appropriate Dispute Resolution Program (ADR Program)

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The BLM Collaboration and ADR Program

WO-210 Division of Decision Support, Planning, and NEPA



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V1.15 - August 2011



What are Collaboration and ADR processes?

Collaboration and Appropriate Dispute Resolution (ADR) encompass a broad spectrum of processes designed to prevent, manage, or resolve conflict outside of the conventional avenues of dispute resolution (such as litigation).

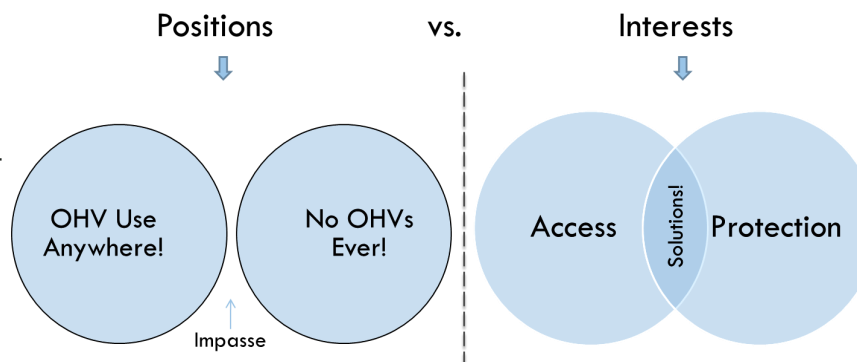
The BLM's Collaboration and Appropriate Dispute Resolution Program (ADR Program) provides **policy, process expertise, training, tracking, and Field assistance** for processes such as mediation, negotiation, facilitation, joint fact-finding, stakeholder working groups, and public involvement. The ADR Program provides support for external engagement with BLM customers and stakeholders, and also coordination and oversight for internal dispute resolution with BLM employees, through the Department of the Interior's CONflict RESolution Plus or CORE PLUS Program.



Why Collaboration and ADR?

Because collaborative and ADR processes are designed to be more flexible and less adversarial, agreements reached through these processes are often more creative, more sustainable, and more satisfying for the parties than solutions imposed in the conventional arenas for dispute resolution. By focusing on **interests** rather than **positions**, these voluntary processes are often able to reduce protests, appeals, and litigation; improve stakeholder relationships; improve decision-making, buy-in, and implementation; and provide long-term savings of time, budget dollars, and public resources. The Environmental and Natural Resource Division of the Department of Justice reports that in FY 2010, their investment of \$1.5 million in ADR services resulted in a savings of \$11.7 million in litigation costs, 12,260 days of attorney and staff time, and 930 months of litigation time.

BLM policy is to seek to use collaborative and ADR processes, when appropriate, for all projects, plans, and decisions. (There are situations in which ADR is not appropriate, such as when constrained by law, regulation, or other mandate, when parties are not participating in good faith, or when an administrative interpretation or judicial precedent is needed.)



The ADR Program is responsible for implementing or overseeing many Administrative and Legislative directives in the BLM, including:

- **1996 Administrative Dispute Resolution Act** (5 USC §571) - instructs agencies to designate an ADR Lead (Bureau Dispute Resolution Manager in the BLM); develop training, policy, and procedures.
- **2005 OMB and CEQ Memorandum on Environmental Conflict Resolution** - charges agencies and ADR Leads to increase capacity for, and use of, collaboration and ADR; report on progress annually to OMB and CEQ.
- **January 21, 2009 Presidential Memorandum on Open Government** - commencing efforts to make the government more "transparent," "participatory," and "collaborative."

The ADR Advisory Council

Made up of Natural Resources ADR Advisors, CORE PLUS ADR Advisors, and ADR Manager-Advisors nominated by the State and Center Directors, the BLM's ADR Advisory Council provides input and feedback on policy and direction to the Washington Office Collaboration and ADR Program, as well as providing support and tracking for the states and centers. Contact information for ADR Advisors can be found through the intranet at: portal.doi.net/blm/portal/ADR or by contacting the ADR Program.